

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

J. L. SUMIEJSKI, C. D. TIPTON; & J. C. SMOGGIE

DOCKET No.: 3218R

CUSTOMER NUMBER: 26645

SERIAL No.: 10/621,154

EXAMINER: V. M. RONSEI

FILED: JULY 13, 2003

GROUP ART UNIT: 1764

TITLE: A Lubricating Composition Having a Hydrocarbyl Phosphite, a Condensation Product of a Fatty Acid with a Polyamine, a Borate Ester, a Borated Dispersant, and an Oil of Lubricating Viscosity

Wickliffe, Ohio
Dated: March 25, 2008

Hon. Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

PRELIMINARY AMENDMENT AND SUPPLEMENTAL REMARKS

The Examiner is respectfully requested to consider the remarks and data presented herewith prior to a first office action on the merits of this case. A request for suspension of action for three months was submitted along with the RCE on January 10, 2008.

ADDITIONAL PRELIMINARY AMENDMENTS

Please enter the amendment to the claims shown in the following pages. The following claims show as marked the changes submitted on January 10, 2008, as well as the additional change of indicating, in claim 1, that in the products R⁸ and R⁹ are, respectively "a group derived from an alkylenepolyamine." Support is found in paragraphs 0034 and 0035.

CERTIFICATE OF EFS SUBMISSION (37 C.F.R. § 1.8(a)(i)(1)(C))

I hereby certify that this correspondence is being filed electronically via the USPTO EFS to the Commissioner for Patents, United States Patent & Trademark Office, in accordance with § 1.6(a)(4) on:

March 26, 2008
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